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SENSITIVE

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FOR NEA/ARP AND NEA/PPD

E.O. 12958: N/A

TAGS: PHUM PREL AE

SUBJECT: BLOGGER JAILED FOR DEFAMATION OF LOCAL OFFICIAL

Sensitive but unclassified. Please protect accordingly.

**¶1.** (U) An AFP story dated August 22 noted that an Arab human rights group (Cairo-based Arabic Network for Human Rights Information -- HRInfo) was decrying the one-year sentence against a website owner in the UAE, Mohammed Rashed al-Shehhi, on defamation charges, adding that al-Shehhi was also fined approximately 19,000 dollars and had his web-site (majan.net) shut down. The case in the emirate of Ras al-Khaimah (RAK) stems from a suit filed by an RAK official. What HRInfo characterized as simple "political criticism" of a civil servant (and that by a contributor over whom the website manager likely has no control), earned al-Shehhi a stiff penalty.

**¶2.** (U) The local Arabic daily Al-Khaleej had published an August 11 article noting the "controversial" closing of the blog, citing opposing opinions gleaned in interviews without clearly espousing a particular point of view. The writer, without mentioning the content of the alleged defamatory statements, cited an elected Federal National Council member noting the important role of the website while also cautioning against its misuse, an RAK official cautioning against unregulated expression which infringed on another's privacy, bloggers "shocked" by the decision to close the site and others emphasizing the need to develop the positive aspects of the Internet in the UAE's move towards participatory governance, and an RAK court official citing the laws violated and the punishments therein designated. The AFP article some days later amplified the negative aspects of the case for an international audience.

**¶3.** (SBU) Contacts familiar with the case at the RAK courts note the serious nature of remarks published on the site and cite the penalty as derived from Articles 16 and 24 of the UAE Communication and Internet law. (Note: Article 16 puts the penalty for "violating social principles and family values" as imprisonment of not less than one year and/or a fine of not less than fifty thousand Dirhams [approx. USD 13,600], while Article 24 calls for the confiscation of devices, programs and means used in committing such violations. End note.) According to RAK judicial officials, a web participant seriously insulted the Director of the RAK Health Department, accusing him of spying on his employees, hiring his relatives for key positions despite their lack of qualifications, and having intimate extra-marital affairs. The offended party reportedly asked al-Shehhi to remove the offensive entry, and filed the suit when only a portion of the more libelous elements was deleted. The case is pending appeal.

**¶4.** (SBU) Comment: Freedom of expression and an open press are widely recognized in the UAE as positive democratic values which will gain favor over the long term, yet local writers must take precautions to avoid official censure. When one crosses a "red line" in defaming officialdom, the courts can be somewhat heavy handed, thus reinforcing the survival mechanism of self-censorship. Without more detail on this particular case, it is difficult to ascertain whether it is a legitimate case of libel or an example of a local blogger pushing the envelope just a little too far and paying the consequences. End comment.

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